



DAKOTA INTERTEK CORPORATION

d/b/a **Dakota Environmental**

February 10, 1998

Mr. Earl VanderWielen or
Mr. Frank Guiffree, Sr.
Guiffree Bros. Cranes, Inc.
6635 South 13th Street
Milwaukee, Wisconsin 53221

Re: Contaminated Soils and Groundwater Confirmed at the [Former] VME site at
1005 Perkins Avenue, Waukesha, Wisconsin

Dear Mr. Guiffree:

Toxic hazardous waste in the form of polychlorinated biphenyls (PCBs) and lead in soils has been confirmed by laboratory at the above referenced property (hereafter referred to as "site", or "subject property"). Toxic hazardous waste requires special handling and out-of-state transport and disposal at appreciable costs. Diesel range organic soil contamination above Wisconsin Administrative Code NR 720 enforcement standards has been confirmed onsite by laboratory during investigations conducted by both Dakota Intertek Corporation, Inc. (Dakota), and Versar, Inc. Trichlorethylene (TCE) in groundwater was laboratory confirmed by Versar, Inc. during an earlier investigation. Wisconsin statutes and administrative code governing each of these substances require that the Wisconsin Department of Natural Resources (WDNR) be notified of contamination immediately upon confirmation. Any previous reports or recommendations to the contrary are in error. To comply with Wisconsin law, Dakota urges you to release current and historic laboratory results to the WDNR.

Limited Site Exploration of November 8, 1997

On November 8, 1997, Dakota personnel performed a surface and limited subsurface reconnaissance of the northeast section of the subject property. The purpose of the reconnaissance was to better assess the number and distribution of barrels identified both on the surface and partially buried at the subject property. The reconnaissance consisted of both a systematic traverse over the entire site area, and the establishment of eight (8) subsurface test pits and four (4) trenches. Test pits and trenches varied in depth between 6 and 11 feet below grade, and were positioned to investigate areas of magnetic anomalies recorded from an earlier survey, broken ground with barrels protruding, and areas of reported Hein-Warner dumping by a WDNR anonymous tip source.

1998 JAN - 6 11:10:22

The reconnaissance cataloged potential barrel burial locations over a large portion of the site. Two areas of mounded broken ground formed "lines" approximately 60 feet wide by 200 feet long, trending southeast. Numerous barrels and paint residue exist at grade along these areas. Trenching in the area identified several barrels, and many "clumps" of free paint residue. Barrels recovered from below grade are weathered to the point of deterioration, and free paint residue exists both below grade and randomly at grade. Barrels are also located at grade throughout the northwest, north, northeast, east, southeast, south, and central subject property. Over sixty confirmed barrels were documented during the reconnaissance. However, only one-half day was allotted for the scope of work. The broken terrain and abundance of free paint residue throughout the subject property suggests the WDNR source's claims that "...hundreds..." of barrels were buried there have veracity.

Historical Work

It should be noted that WDNR personnel collected and submitted paint residue and soil samples for laboratory analysis. A paint residue sample had a confirmed lead concentration above the WDNR regulatory limit. The WDNR considers paint residue at the subject property to be "...toxic hazardous waste". WDNR analyses also identified metal contamination that could be considered hazardous waste under the Resource Recovery and Conservation Act (RCRA). Although not confirmed in levels exceeding WDNR ^{regulatory} enforcement standards (~~ES~~), correspondence from the WDNR dated October 2, 1995 also identifies volatile organic compounds (VOCs) to be chemicals of concern. Based on the limited subsurface investigation, removal of intact barrels would not be possible. It is likely that barrel remnants, paint residue, and accompanying soils would all have to be excavated and removed. All would probably be categorized as toxic hazardous waste.

Four (4) of the eight (8) test pits were positioned to explore the source of a magnetic anomaly in the southeast central area of the site. Although parts of three separate barrels were identified, the magnetic anomalies were discovered to be largely an abundance of thin metal strapping and other metal debris. This trench was in the immediate vicinity of the excavation conducted by Versar, Inc. during the month of December. In fact, the northern two (2) test pits were documented to contain clean gravel fill in the upper 1 foot interval. Beginning at approximately 1 foot below grade and continuing to approximately 4 feet below grade, black, odoriferous, sandy silt with gravel and metal debris exists. From approximately 4 feet to terminal depth of 11 feet below grade, gray, odoriferous, homogenous medium sand with abundant metal strapping and debris is located. Sand is obviously saturated at 8 feet below grade.

Dakota personnel recognized the strong odor as characteristic PCB contamination. One (1) grab sample, each, was collected from test pit #3 at an interval approximately 4 feet below grade, and test pit #4 from an interval approximately 11 feet below grade. Samples were collected following appropriate WDNR and EPA rules and protocol, including the use of decontaminated sampling equipment and nitrile gloves. Samples were placed in appropriate laboratory-supplied containers under strict chain-of-custody,

and immediately placed on ice. Samples were submitted to Nova Environmental Laboratory (WDNR Laboratory Certification #241340550) for PCB and Wisconsin DRO analyses.

PCB contamination was confirmed in both submitted soil samples. Soil collected from test pit #3 contained adsorbed PCBs from the PCB1242 group in concentrations totaling 89,900 micrograms per kilogram (ug/kg). Laboratory analysis of soils collected from test pit #4 confirmed adsorbed PCBs from the PCB1254 group at concentrations of 60 ug/kg.

Adsorbed PCB concentrations exceeding 50,000 ug/kg are classified as toxic hazardous waste. PCB contamination in concentrations confirmed at the subject property would have to be transported out of state for probable incineration. Waste Management of Wisconsin, Inc. disposes of toxic hazardous PCB-contaminated soils in the state of New York, while Superior Environmental Services, Inc. uses a state of Utah disposal site. It is possible, though not assured, that soils with low concentrations of adsorbed PCB contamination could be considered "special waste" and delivered to a landfill in Wisconsin. The ultimate determination of PCB-contaminated soil classification rests with the WDNR.

It is likely that subject property PCB-contaminated soils would be classified toxic hazardous waste under the Toxic Substance Control Act (TSCA) rules. The hazardous waste transporter would have to be TSCA certified in each of the states through which the waste passes. No accurate disposal figure can be estimated until the volume and concentration of total PCB-contaminated soils can be determined. However, an estimated figure of \$250.00 per ton for disposal is reasonable. Transportation of hazardous material costs will add up more into the costs.

DRO contamination exists above WDNR ES in the sample collected from test pit #4 at 171 milligram per kilogram (mg/kg). Six (6) discrete samples were analyzed for DRO from the two (2) described test pits and four (4) others. A second sample collected from test pit #6 in the northwest central subject property area also confirmed DRO contamination in excess of WDNR ES at 187 mg/kg. Versar, Inc. reports allude to some residual DRO contamination being acceptable in subject property soils. However, a conversation with WDNR Environmental Response and Repair Section Supervisor Jim Schmidt indicated that the WDNR would probably require active remediation at a site with residual DRO concentrations, subsurface conditions, and proximal surface water such as those observed at the subject property. Dakota personnel also suspect both adsorbed and dissolved DRO (DRO in groundwater) contamination at several other subject property locations.

Dakota is also concerned about several environmental liability factors existing on the western portion of the former VME property. As property owner, Mallory Improvements is considered the responsible party for groundwater contamination confirmed by Versar, Inc. as part of a "Groundwater Assessment". Both TCE, 1,1,1-Trichloroethane, and 1,1-Dichloroethene were confirmed above WDNR ES in subject property groundwater from

samples collected from MW-1 through MW-3D. Hydropunch groundwater samples, though analyzed after proper holding times, also confirm a large area of TCE contamination above the WDNR ES.

Versar, Inc. suggests that because it is unlikely these compounds were contained within site underground storage tanks (USTs), a reportable release has not occurred. Versar, Inc. further projects that the source must be offsite, for the above stated reason. No groundwater gradient was established for the Versar, Inc. groundwater assessment. No monitoring well groundwater elevations were documented in the report. A gradient parallel to the stream and a local "reverse" gradient are speculated, based on comparative contaminant concentrations in site groundwater.

Wisconsin rules do not stipulate that a source must be identified to qualify existing contamination as a "release". **If groundwater contamination above WDNR preventive action limits (PALs) and/or WDNR ES is confirmed, a release must be reported in writing to the WDNR as soon as practical but within 10 days Wisconsin Administrative Code NR 140.24 and NR 140.26, and under Wisconsin Statute 292.** The responsible party as defined by Wisconsin rules must initiate a remedial response for subject property groundwater. It is the onus of the responsible party to establish offsite contaminant migration. Offsite contaminant migration must be established with generally recognized scientific precepts, and cannot be confirmed without convincing data.

A sixth UST exists on the western site. Although assessment sampling for the five (5) removed USTs did not confirm contamination, no assessment was completed for the sixth UST specifically. Versar, Inc. reports that the UST has been in the ground since before 1955. If suggested saturation depths are accurate, at least part of the UST has probably been in contact with groundwater for over 40 years. The possibility for corrosion and leakage is high.

Conclusions and Recommendations

Based on the above stated facts, Dakota concludes and recommends:

- Widespread toxic hazardous waste contamination in the form of paint residue and contaminated soils and barrel remnants exists on the eastern subject property.
Dakota recommends a thorough site investigation with a greater scope of intrusive borings, test pits, and trenching.
- An unknown volume of toxic hazardous waste in the form of PCB-contaminated soils and possibly groundwater exists onsite.
Dakota recommends an extensive site investigation with soil and groundwater monitoring wells to adequately define the full lateral and vertical extents of PCB contamination. Dakota further strongly recommends that the adsorbed PCB contamination above toxic hazardous waste concentrations properly established by laboratory be

reported to the WDNR Environmental Response and Repair Division immediately. Wisconsin Statute 292 requires the immediate reporting of any detectable PCB concentrations.

- An unknown volume of adsorbed and possibly dissolved DRO contamination exists onsite.

Dakota recommends an extensive site investigation with soil and groundwater monitoring wells to adequately define the full lateral and vertical extents of DRO contamination. Site specific allowable residual contaminant levels (RCLs) can only be determined after a site investigation. Based on Dakota's professional opinion, the presence of fluvial and fill sands and the proximity to surface water will preclude the establishment of site specific RCLs greater than the generic 100 mg/kg. Dakota strongly recommends that DRO contamination above NR 720 allowable residual contaminant levels be reported to the WDNR Environmental Response and Repair Division as required by Wisconsin Administrative Code.

- Volatile organic compounds, notably TCE, exist in western site groundwater above WDNR enforcement standards.

Dakota recommends an extensive site investigation using groundwater monitoring wells to adequately define the full lateral and vertical extents of VOC contamination above WDNR ES. The property owner is responsible for remediation of all site contamination. Shared investigation and remedial cost recovery is the responsibility of the property owner. Dakota further strongly recommends reporting VOC contamination to the WDNR Environmental Response and Repair Division immediately. Wisconsin Statute 292 requires the immediate reporting of any VOC concentrations above WDNR PALs.

- A sixth UST remains in place beneath the western subject property.

Dakota recommends registration with PECFA and WDNR if the UST can be properly defined under PECFA rules. Dakota further recommends that the UST be properly closed with a site assessment. The amount of PECFA reimbursement will be dramatically reduced for sites not initiating work before July 1998.

A significant volume of laboratory-confirmed soil and groundwater contamination remains at both portions of the subject property. Of particular concern is the **toxic hazardous waste** in the form of extensive **paint barrels and residue**, and the unknown quantity of **PCB-contaminated soil**. Both of these contaminants must be defined in extent before any reasonable remedial cost estimate can be given. Given the nature, areal extent of existing and probable soil contamination, and the disposal facility locations, the disposal costs could be significant. Although the scope and extent of all environmental

concerns must be identified, it is likely that **active remediation** will be required by the WDNR.

DRO and TCE contamination are of no less a concern to the WDNR. It should be noted that although Wisconsin is beginning to look more favorably at natural attenuation and long-term monitoring as remedial responses, the sandy soils and proximal surface water would probably preclude those options under existing WDNR rules and guidelines.

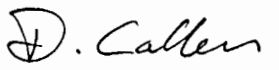
An investigation incorporating all of the subject property concerns should be initiated. Addressing all concerns simultaneously should be more cost-effective, and provide a more clear picture of what remedial responses will be required by Wisconsin.


Dakota strongly urges you to comply with Wisconsin statutes and administrative code reporting requirements. Contamination exceeding WDNR enforcement standards exists for PCBs in soil, DRO in soil, and TCE in groundwater. The WDNR is already appraised of toxic hazardous waste in the form of paint residue and soils. Reporting requirements existed when Versar, Inc. completed investigative activities, and currently exist.

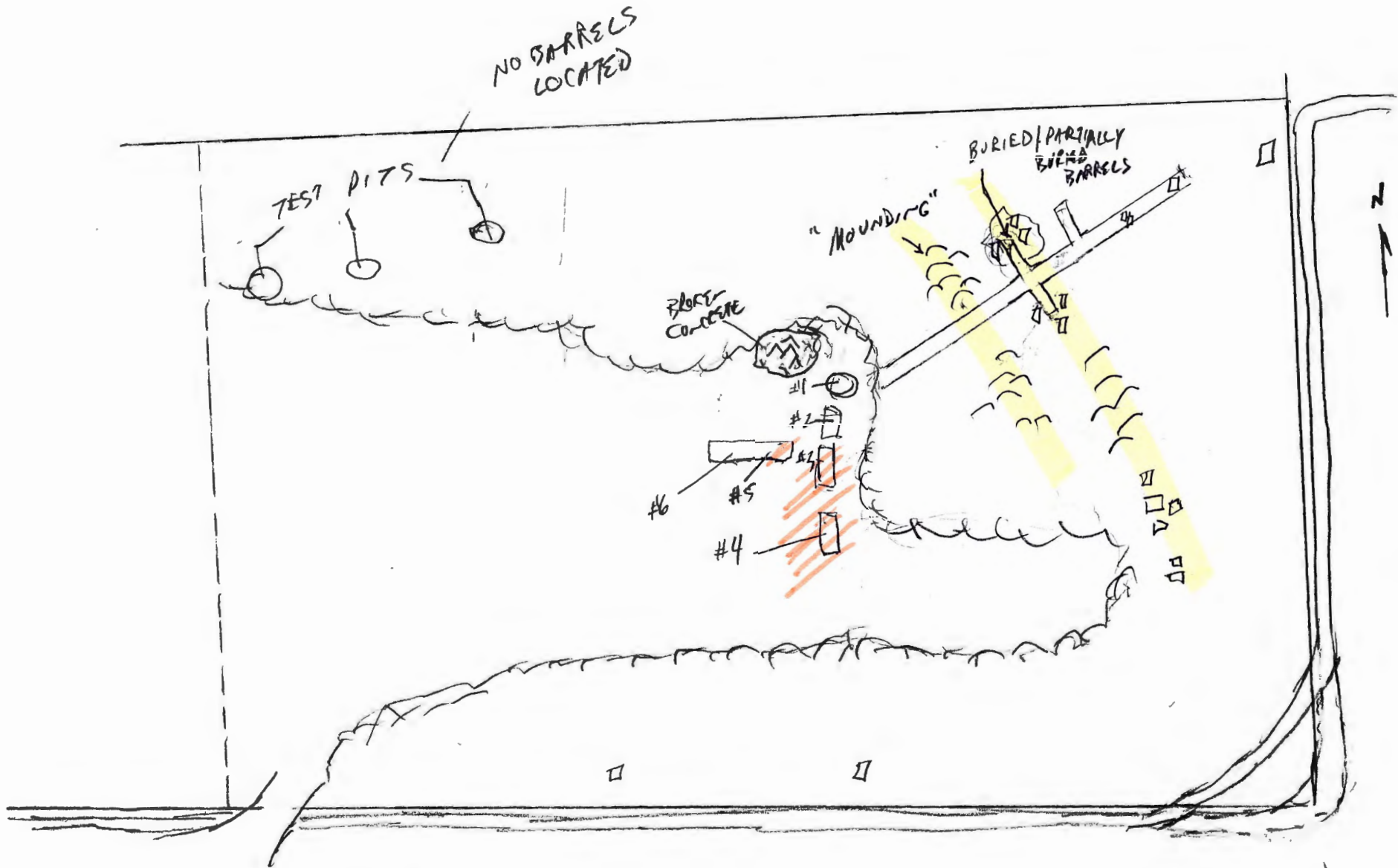
Dakota also recommends that you submit a preliminary summary report to the WDNR Hazardous Waste Division indicating the scope and extent of paint barrel contamination. Finally, Guiffree Bros. Cranes should register, close and assess the sixth UST while the possibility of current PECFA funding levels still exists.

Dakota appreciates the opportunity to be of service. We believe we have a good understanding of known existing contamination at the former VME site, and believe we are uniquely qualified to complete the pending phases of work. If you have any questions, do not hesitate to contact the undersigned at (414) 548-8884 or (414) 718-1749.

Sincerely,


Don Callen
Sr. Hydrogeologist


Wenbin Yuan, P.G.
General Manager



LEGEND:

- TEST TRENCH
- TEST PIT
- BARREL
- #1 SAMPLE #

PCB CONTAMINATION

1" = 80'

NOTE: NOT ALL BARRELS DEPICTED



Environmental Laboratory

8222 W. Calumet Road • Milwaukee, WI 53223
800-236-3909 (414) 355-5800 FAX: (414) 355-3099

970784

CHAIN OF CUSTODY

_____ Page _____ of _____

CLIENT INFORMATION

Project Manager: Wenbin Yuan
 Company: Dakota Environmental
 Mailing Address: 515 W 22600 Arcadian
 City, State, Zip: Waukesha, WI 53126
 Phone: 414 548888 FAX: 5480881

REPORTING / INVOICING INFORMATION

Project I.D.: _____
 Pricing/Quote Reference: _____
 Person to be Invoiced: Client Property Owner
 Mail Invoice to: Client Property Owner
 Mail Lab Reports to: Client Property Owner

PROPERTY OWNER INFORMATION

Property Owner: Frank Gintfre
 Owner's Company: VME
 Street Address: 1005 Parkins
 City, State, Zip: Waukesha, WI 53126
 Phone: 764 9200 FAX: _____

TURNAROUND

NORMAL (about 2 weeks for non-TCLP samples)
 RUSH Date report needed: _____
NOTE: Call to confirm that we can provide the desired Rush processing before shipping samples!

SPECIAL NEEDS / INSTRUCTIONS

SAMPLE CHARACTERISTICS

NON-HAZARDOUS
 Possibly Hazardous; use special handling
NOTE: Left-over, hazardous samples will be returned to you for proper disposal.

SAMPLE RECEIVING RECORDS

Samples received "on ice"
 Temperature (if not "on ice") _____ °C
 Samples intact / not leaking

Enter "Preservation/Filtration Codes":

DRO
PCB

A. HCl
B. HNO₃
C. NaOH
D. H₂SO₄
E. Methanol
F. Field Filtered

LAB I.D.	SAMPLE (Field) I.D.	Additional SAMPLE or SAMPLING INFORMATION (optional)	DATE	TIME	Matrix *	ANALYSIS NEEDED	CONTAINERS / SAMPLE								
							Total	40mL	250mL	500mL	1 L	Other			
8189	SS-1		11/8/97	9:00	Soil										
8190	SS-2		"	10:00	"	X						2	X		
8191	SS-3		"	12:00	"	X	X					2	X		
8192	SS-4		"	1:30	"	X	X					2	X		
8193	SS-5		"	1:45	"	X						2	X		
8194	SS-6		"	2:50	"	X						2	X		

* Soil (S) Surface Water (SW) Groundwater (GW) WASTES: Waste, Solid (WS) Waste, Liquid (WL) Waste, TCLP (TCLP) If applicable: Composite (C) or Grab (G)

Relinquished by (signature): <u>Wenbin Yuan</u>	Date / Time: <u>11/13/97</u>	Received by (signature): <u>[Signature]</u>	Relinquished by (signature):	Date / Time:	Received by (signature):
Relinquished by (signature):	Date / Time:	Received by (signature):	Relinquished by (signature):	Date / Time:	Received by (signature):

NT COPY: Pink

COPY FOR REPORT: Yellow

LAB FILE COPY: White

NOVA

Environmental Laboratory

8222 W. Calumet Rd., Milwaukee, WI 53223
 Phone: (414) 355-5800 Fax: (414) 355-3099

Wen Bin Yen
 Dakota Environmental of Wisconsin, Inc.
 S15 W22600 Arcadian Avenue
 Waukesha, WI 53186

ORGANIC REPORT

WDNR# 241340550

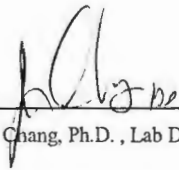
INVOICE NUMBER: 970989
 DATE REPORTED: 19-Nov-97
 DATE RECEIVED: 13-Nov-97
 SAMPLE TEMP (C): Rec On Ice
 PROJECT ID:
 PROJECT NAME:

Dry Weight and Dilution Factor Corrected										
Compound	LUST Result	Units	LUST LOD	LUST LOQ	NOVA LOD	Dilution Factor	RQ	Method	Analyst	Date of Analysis
Sample Number: 8191	Percent Solid: 81.2%		QC Batch Number:		Sample analyzed within 9 Day(s) from collection.					
Client ID: SS-3	Sample Description:				Collection:	11/8/97	Time:	12:00		
PCB1016	<2500	ug/kg	25000	60000	3800	1000		8080	dmd	11/17/97
PCB1221	<2500	ug/kg	25000	60000	3800	1000		8080	dmd	11/17/97
PCB1232	<2500	ug/kg	25000	60000	3800	1000		8080	dmd	11/17/97
PCB1242	89900	ug/kg	25000	60000	3800	1000		8080	dmd	11/17/97
PCB1248	<2500	ug/kg	25000	60000	3800	1000		8080	dmd	11/17/97
PCB1254	<2500	ug/kg	25000	60000	3800	1000		8080	dmd	11/17/97
PCB1260	<2500	ug/kg	25000	60000	3800	1000		8080	dmd	11/17/97

H₂O
F.P.C. / S

0.5 ppt

Sample Number: 8192	Percent Solid: 20.3%		QC Batch Number:		Sample analyzed within 9 Day(s) from collection.					
Client ID: SS-4	Sample Description:				Collection:	11/8/97	Time:	13:30		
PCB1016	<25*	ug/kg	25	60	4	1.0		8080	dmd	11/17/97
PCB1221	<25*	ug/kg	25	60	4	1.0		8080	dmd	11/17/97
PCB1232	<25*	ug/kg	25	60	4	1.0		8080	dmd	11/17/97
PCB1242	<25*	ug/kg	25	60	4	1.0		8080	dmd	11/17/97
PCB1248	<25*	ug/kg	25	60	4	1.0		8080	dmd	11/17/97
PCB1254	60	ug/kg	25	60	4	1.0		8080	dmd	11/17/97
PCB1260	<25*	ug/kg	25	60	4	1.0		8080	dmd	11/17/97

Approved By:  Date: 11/19/97
 James Chang, Ph.D., Lab Director

Special LUST Format for Methanol - Preserved Soil PVOCs or VOCs, (Release News, July and October 1994)

NOVA Lab LOD = where the LOD has been determined in accordance with 40 CFR, Part 136, Appendix B.
 LUST LOD = LUST program PVOC/VOC LOD of 25 ug/kg (wet weight basis)
 LUST LOQ = LUST program PVOC/VOC LOQ of 60 ug/kg (wet weight basis)
 RQ: Run Qualifier; "J" = Results between LOD and LOQ "L" = Samples less than 20 g, "B" = Showed in Blank sample.
 Rounding Rules: Three significant figures were used for concentrations above 99 ug/L, two significant figures for concentrations between 1-99 ug/L, and one significant figure for lower concentrations.
 DNR Analytical Detection Limit Guidance, April 1995.

* According to LUST Release News, October 1994 Volume 4, Number 5, ; Laboratories are not required to report sample results that are below 25 ug/kg, but are required to report their actual MDL on the report.

ORGANIC REPORT

Wen Bin Yen
 Dakota Environmental of Wisconsin, Inc.
 S15 W22600 Arcadian Avenue
 Waukesha, WI 53186

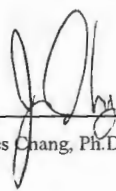
INVOICE NUMBER: 970989
 DATE REPORTED: 18-Nov-97
 DATE RECEIVED: 13-Nov-97
 SAMPLE TEMP (C): Rec On Ice
 PROJECT ID:
 PROJECT NAME:

Test	Result	Units	LOD	LOQ	Dil	RQ	Method	Analyst	Date Ext.	Date Anal.
Nova Sample Number: 8189 Client ID: SS-1									Collection: 11/8/97 Time: 09:00	
									QC Batch Number: 972264 %Solid: 88	
Diesel Range Organics	36	mg/kg	1.1	3	1		WI DRO	srh	11/13/97	11/17/97
Nova Sample Number: 8190 Client ID: SS-2									Collection: 11/8/97 Time: 10:00	
									QC Batch Number: 972264 %Solid: 89.4	
Diesel Range Organics	19	mg/kg	1.1	3	1		WI DRO	srh	11/13/97	11/17/97
Nova Sample Number: 8191 Client ID: SS-3									Collection: 11/8/97 Time: 12:00	
									QC Batch Number: 972264 %Solid: 81.2	
Diesel Range Organics	48	mg/kg	1.2	4	1		WI DRO	srh	11/13/97	11/17/97
Nova Sample Number: 8192 Client ID: SS-4									Collection: 11/8/97 Time: 13:30	
									QC Batch Number: 972264 %Solid: 90.3	
Diesel Range Organics	171	mg/kg	2.1	7	2		WI DRO	srh	11/13/97	11/17/97
Nova Sample Number: 8193 Client ID: SS-5									Collection: 11/8/97 Time: 13:45	
									QC Batch Number: 972264 %Solid: 84.6	
Diesel Range Organics	12	mg/kg	1.1	3	1		WI DRO	srh	11/13/97	11/17/97
Nova Sample Number: 8194 Client ID: SS-6									Collection: 11/8/97 Time: 14:50	
									QC Batch Number: 972264 %Solid: 89.1	
Diesel Range Organics	187	mg/kg	5.4	17	5		WI DRO	srh	11/13/97	11/17/97

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 Waukesha, WI 53186

INVOICE NUMBER: 970989
 DATE REPORTED: 18-Nov-97
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 SAMPLE TEMP (C): Rec On Ice
 PROJECT ID:
 PROJECT NAME:

Test	Result	Units	LOD	LOQ	Dil	RQ	Method	Analyst	Date Ext.	Date Anal.
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Approved By:  Date: 11/19/97
 James Chang, Ph.D., Lab Director

NOVA Lab LOD = where the LOD has been determined in accordance with 40 CFR, Part 136, Appendix B.

LUST LOD = LUST program PVOC/VOC LOD of 25 ug/kg (wet weight basis)

LUST LOQ = LUST program PVOC/VOC LOQ of 60 ug/kg (wet weight basis)

RQ : Run Qualifier; "J" = Results between LOD and LOQ "L" = Sample less than 20 g, "B" = Showed in Blank sample.

Rounding Rules: Three significant figures were used for concentrations above 99 ug/L, two significant figures for concentrations between 1-99 ug/L, and one significant figure for lower concentrations.
 DNR Analytical Detection Limit Guidance, April 1995.